

# MEMO ENDORSED

**MICHAEL A. CARDODOZ**  
*Corporation Counsel*

**THE CITY OF NEW YORK  
LAW DEPARTMENT**

100 CHURCH STREET  
NEW YORK, NY 10007

**JED M. WEISS**  
*Assistant Corporation Counsel*  
jweiss@law.nyc.gov  
(212) 788-0786  
(212) 788-9776 (fax)

September 22, 2005

**BY HAND**

Honorable Kenneth M. Karas  
United States District Judge  
United States Courthouse  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Alberton v. City of New York, et al.  
05-CV-7692

Dear Judge Karas:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for Defendant City of New York. I write with respect to the referenced matter, in which plaintiffs set forth claims, *inter alia*, of false arrest and false imprisonment during the Republican National Convention. As of the date of this letter, there is no Judge formally assigned to this matter. However, because plaintiffs filed a related statement relating this case to the Macnamara litigation, and because this is an "RNC case", I send this letter to Your Honor under the assumption that it will, at some point, be assigned to Your Honor.

The Defendant's time to respond to the complaint will expire on or about September 22, 2005. With this letter, the Defendants respectfully request that their time to respond be extended to and including November 21, 2005.<sup>1</sup> This request is made with the consent of plaintiff's counsel.

---

<sup>1</sup> In addition, plaintiff names various New York City Police Officers as defendants in this matter. Without appearing or making any representations on their behalf, in the event that those  
Continued...

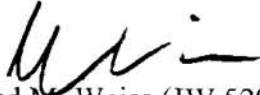
Hon. Kenneth M. Karas  
September 22, 2005  
Page 2

In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, this additional time is needed to investigate the allegations of the complaint. It is our understanding that the records of the underlying criminal actions, including police records, may have been sealed pursuant to New York Criminal Procedure Law § 160.50. Therefore, this office forwarded to plaintiffs' counsel for execution by each plaintiff a consent and authorization for the release of sealed records so that defendants can access the information, properly assess the case, and respond to the complaint.

No previous request for an extension has been made by defendants. Accordingly, it is respectfully requested that defendants' time to answer or otherwise respond to the complaint be extended to and including November 21, 2005.

Thank you.

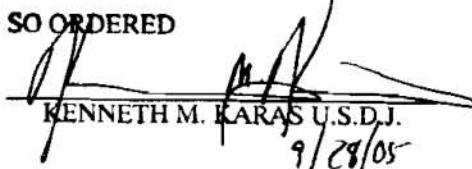
Respectfully submitted,

  
Jed M. Weiss (JW 5293)  
Assistant Corporation Counsel

cc: Carolyn Goodwin, Esq., Attorney for Plaintiffs (via facsimile)

Defendants' time to answer or otherwise respond to the complaint is extended, ~~as per practice~~, until November 21, 2005. No further extensions will be granted absent good cause.

SO ORDERED

  
KENNETH M. KARAS U.S.D.J.  
9/28/05

officers are properly served, this office respectfully requests that the same extension be granted to them so that their defenses are not jeopardized while representation issues are being decided.